

Subchapter One: Property Maintenance and Nuisance Abatement

Article 1. General

2.01.010 Title.

The ordinance codified in this subchapter may be referred to and cited as the *Property Maintenance and Nuisance Abatement Ordinance* of the Town of Colma.

[*History:* formerly § 1.11.110; ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.020 Purpose and Intent.

The purpose and intent of the regulations contained herein are as follows:

- (a) To define as public nuisances and violations those conditions which constitute visual blight or which could result in conditions which are harmful or deleterious to the public health, safety and welfare;
- (b) To develop regulations that will promote the sound maintenance of property and the enhancement of the livability, community appearance, and the social, economic and environmental conditions of the community;
- (c) To establish guidelines and procedures for the correction of property maintenance violations and nuisances in a manner that affords due process and procedural guarantees to affected property owners and tenants; and
- (d) To provide for the administration and enforcement of the Colma Municipal Codes through an administrative process.

[*History:* formerly § 1.11.120, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.030 Definitions.

As used in this chapter:

Public nuisance includes anything which is declared by the city council to be or likely to become injurious to health or safety or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any public park, square, street or highway; and includes a condition of visual blight. Enumeration of such nuisances in Section 2.01.040 shall not be deemed exclusive.

Visual blight means any unreasonable or unlawful condition or use of premises or of building exterior which by reason of its appearance as viewed at ground level from public street or from neighboring premises, is detrimental to the property of others.

[History: formerly § 1.11.130, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.040 Public Nuisance Conditions.

It is a public nuisance for any person owning, leasing, renting, occupying or having charge of any property within the city to allow on such property or maintain any one or more of the following conditions or activities:

(a) Land in such topography, geology or configuration (whether in natural state or as a result of grading operations, excavation or fill) which causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties;

(b) Buildings or other structures which are abandoned, partially destroyed, partially constructed or allowed to remain unreasonably in a state of partial construction;

(c) The failure to close, by means acceptable to the Code Enforcement Officer, all doorways, windows and other openings into vacant structures;

(d) Buildings, walls, fences, driveways, sidewalks, walkways, parking areas or other improvements to real property which are so defective, unsightly, deteriorated or in disrepair that the same causes depreciation of the values of surrounding property or is materially detrimental to nearby properties and improvements;

(e) Broken windows constituting hazardous conditions or inviting trespassers and malicious mischief;

(f) Overgrown vegetation:

(1) Likely to harbor rats, vermin or other nuisances,

(2) Causing detriment to neighboring properties, or

(3) Causing or adding to a fire hazard;

(g) Dead, decayed, diseased or hazardous trees, weeds, and other vegetation:

(1) Constituting a danger to public health, safety and welfare, or

(2) Detrimental to nearby property, or

(3) Causing or adding to a fire hazard;

(h) Attractive nuisance dangerous to children in the form of:

(1) Abandoned and broken equipment, vehicles, furniture or appliances,

(2) Hazardous pools, ponds and excavations, and

(3) Neglected machinery;

(i) The accumulation or storage of junk, including tires, lumber, household appliances or parts thereof, inoperable vehicles, or parts thereof, furniture, sinks, toilets, cabinets or other household fixtures, equipment or parts thereof, rubbish, garbage, debris or salvage materials, which constitute a fire hazard or safety hazard and/or are stored or accumulated in such a manner as to constitute visual blight or to be visible from a public street, alley or adjoining property;

(j) Packing boxes, lumber, trash, dirt and other debris deposited for unreasonable periods either inside or outside buildings, visible from the street or nearby property which constitutes visual blight or is offensive to the senses or is detrimental to nearby property values;

(k) Heavy commercial vehicles, construction equipment or machinery of any type or description parked or stored without a permit on property where it is readily visible to the general public, except while excavation, construction or demolition operations covered by an active building permit are in progress on the subject property or on adjoining property;

(l) Improper maintenance of signs on property relating to uses no longer conducted or products no longer sold on property;

(m) Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any public park, square, street, or highway.

(n) Any property maintained in such a manner as to result in substantial amounts of gases, oil, or hazardous materials flowing onto public rights-of-way or accumulating on paved surfaces, soil, buildings, walls or fences;

(o) Property maintained so as to establish a prevalence of depreciated values, impaired investments, and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts from such particular area are inadequate for the cost of public services rendered therein;

(p) Any automobile service station or automotive repair facility which has been closed, vacant or inoperative for a period exceeding sixty days;

(q) Specialty structures which have been constructed for a highly specific single use only, and which are not enclosed or shielded, and which are unfeasible to convert to other uses, and which are abandoned, partially destroyed or are permitted to remain in a state of partial destruction or disrepair, for over one year, such as, but not limited to: greenhouses, tanks for gas or liquid, lateral support structures and bulkheads, utility high-voltage towers and poles, utility high-rise support structures, electronic transmitting antennas and tower, structures which

support or house mechanical and utility equipment and are located above the roof lines of existing buildings, high-rise freestanding chimneys and smokestacks, recreational structures such as tennis courts and cabanas, and all other specialty structures not listed in this subsection but determined to be a specialty structure by the city;

(r) Presence of abandoned, dismantled, wrecked or inoperable motor vehicles, motorcycles, recreational vehicles, trailers, campers, boats or parts thereof, except:

(1) When completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, or

(2) When stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.

(s) (Abandoned vehicles enforcement proceeding is treated in more detail in Chapter Six, Subchapter Four of the code, and such proceeding is an alternative to, or in conjunction with, the proceedings set forth in this chapter.)

(t) Obstruction or encroachment of any public property, including but not limited to any street, easement, right-of-way, alley, highway, right-of-way, park, building, or other land dedicated to public use;

(u) Causing, maintaining or permitting graffiti (as that term is defined in the California Government Code): (1) to remain on exterior walls or facades of any building, fence, wall, or other structure of whatever nature; or (2) to remain upon the exterior of any motor vehicle, van or truck which is parked on public streets or driveways or is otherwise visible to the public;

(v) Storage of hazardous materials in such a manner as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties;

(w) The use, in any residential zoning district or residential planned development district of the city, of barbed wire, concertina wire, razor-cut wire or other such similar fencing material in a dangerous or unsightly fashion;

(x) Stacking or storage of any combustible material, including but not limited to wood, firewood, and any material which would increase or may cause an increase of the hazard or menace of fire, in the front yard or side yards. Stacking or storage may be done only in the rear yard three feet from any and all sides of a habitable building;

(y) Any condition recognized in law or in equity as constituting a public nuisance, or any condition existing on property which constitutes visual blight;

(z) Any discharge of nonstorm water to the city storm sewer system in violation of Colma Municipal Code Section 3.10.090;

(aa) Any violation of the Colma Zoning Ordinance (Colma Municipal Code Chapter Five, sections 5.01 et seq.);

(bb) Any violation of the Colma Sign Ordinance (Colma Municipal Code, Chapter Four, Subchapter Seven, sections 4.07 et seq.);

(cc) Any violation of the Colma Graffiti Prevention Ordinance (Colma Municipal Code, Chapter Two, Subchapter Two, sections 2.02 et seq.);

(dd) Any violation of the Colma Animal Control Ordinance (Colma Municipal Code, Chapter Eight, sections 8.01 et seq.);

(ee) Any violation of any condition of a lease, permit, license, franchise, agreement, certificate or other entitlement issued by the Town of Colma to use real property;

(ff) Any violation of any obligation or condition set forth in any agreement recorded with the County Recorder, such as Covenants, Conditions and Restrictions (CC&R's), as to which the Town of Colma is a direct or third party beneficiary; or

(gg) Any storage, collection or disposal of solid waste in violation of any provision of subchapter 3.05 of the Colma Municipal Code.

[*History:* formerly § 1.11.140, ORD. 494, 9/11/96; ORD. 601, 6/25/03; ORD. 630, 5/11/2005; ORD. 638, 12/14/05; ORD. 658, 6/13/07]

2.01.050 Declaration of Public Nuisance.

All property or any condition(s) described in the foregoing Section 2.01.040 is declared to be a public nuisance and shall be abated by rehabilitation, demolition or repair pursuant to the procedures set forth in this chapter. The procedures for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the city from enforcing other city ordinances or abating public nuisances in any other manner provided by law.

[*History:* formerly § 1.11.150, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.060 Findings.

The City Council finds that:

(a) Enforcement of the Municipal Code and applicable federal and state laws throughout the City is an important public service. Code Enforcement is vital to protection of the public's health, safety and quality of life. Enforcement starts with the drafting of precise regulations that can be effectively applied in administrative enforcement hearings and judicial proceedings, continues with efforts at achieving voluntary compliance with applicable laws and regulations, and culminates in the pursuit of judicial and administrative remedies.

(b) Enforcement of the Town's zoning, building, health, safety and nuisance abatement codes is essential to the protection of the sizeable public investment that the City Council has made and will continue to make throughout the community.

(c) Enforcement of codes is essential to the health, welfare and safety of Colma residents and business operators.

(d) Failure to enforce codes has the potential to result in a disregard for law and a potential for a reduction in the quality of life in the Town of Colma.

(e) In the course of resolving property maintenance and permit compliance problems the City Planning staff has received complaints about structures and uses that may be illegal including the alleged creation of detached second dwelling units without a permit and the conversions of garages into living units without a permit. Illegal structures and uses are a violation of the zoning code. Construction is illegal if it is done without a Building Permit. Illegal construction has the potential for building defects that threaten the health, welfare and safety of occupants and neighboring properties.

(f) Resolution of complaints regarding alleged illegal uses, the alleged creation of detached second dwelling units without a permit and the conversions of garages into living units without a permit may require that the Building Department, Fire Department, Police Department and others assist the City Planning staff in investigating the complaint. If entry onto private property is necessary to investigate a complaint and the owner or tenant of the property refuses entry, it may be necessary to work with an outside counselor to obtain an inspection warrant from the Court.

[History: formerly § 1.11.210, ORD. 494, 9/11/96; ORD. 601, 6/25/06; ORD. 638, 12/14/05]

2.01.070 Policy

It is the policy of the City Council to enforce all federal, state and municipal laws and regulations to protect the general public welfare without discrimination against or in favor of any person who makes a complaint or who is the subject of a complaint, based on race, religion, color, creed, national origin, sex, sexual orientation, marital status, age, or on any sensory, mental or physical disabilities, or because of a relationship to any public official.

The emphasis of the Town's code enforcement program shall be to abate life, health and safety issues, to require proper maintenance of properties, and to seek compliance with conditions in discretionary land use approvals. Alleged violations brought to the attention of staff shall be investigated quickly and shall be resolved fairly and equitably.

This policy statement is directory, not mandatory.

[History: formerly § 1.11.212, ORD. 494, 9/11/1996; ORD. 601, 6/25/2003; ORD. 638, 12/04/05]

2.01.080 Code of Enforcement Officer

The City Manager shall appoint a Code Enforcement Officer for the Town of Colma. The Code Enforcement Officer is authorized to request the assistance of the Building Official, Fire Marshal, Police Chief and other City Departments to assist in investigations.

[*History:* formerly 1.11.214, ORD. 494, 9/11/96; ORD. 601, 6/25/2003; ORD. 638, 12/04/05]

2.01.090 Inspections

The City Manager, Code Enforcement Officer, Building Official, any Colma peace officer, and any other person specifically selected by the City Manager to inspect for code violations, are each authorized to enter upon any property or premises to ascertain whether the provisions of the Municipal Code or applicable state codes are being obeyed, and to make any examinations and surveys as may be necessary in the performance of their enforcement duties. These may include the taking of photographs, samples or other physical evidence. All inspections, entries, examinations and surveys shall be done in a reasonable manner. If an owner, occupant or agent refuses permission to enter in inspect, the Code Enforcement Officer may seek an inspection warrant pursuant to the procedures provided for in California Code of Civil Procedure Section 1822.50 through 1822.59.

[*History:* formerly § 1.11.216, ORD. 494, 9/11/96; ORD. 601, 6/25/03; ORD. 638, 12/14/05]

2.01.100 Method of Service.

- (a) All notices and orders shall be served upon the violator or property owner as follows:
 - (1) by personal delivery; or
 - (2) if the violator someone other than the person who owns, occupies, leases, rents, or is in charge of the property that is the subject of the abatement action, and the Town is unable to serve the violator after a reasonable effort has been made to do so, by mailing a copy first class mail, postage prepaid, to that person at his last known residence or business and by either leaving a copy with a responsible person at the property which is the subject of the abatement action or by conspicuously posting a copy thereof at the property which is the subject of the abatement action;
 - (3) if the Town is unable to serve the person who owns, occupies, leases, rents, or is in charge of the property that is the subject of the abatement action after a reasonable effort has been made to do so, by mailing a copy first class mail, postage prepaid, to that person at his last known residence or business and by either leaving a copy with a responsible person at the property which is the subject of the abatement action or by conspicuously posting a copy thereof at the property which is the subject of the abatement action.

(b) Where real property is involved, written notice shall also be mailed to the property owner at the address shown on the last equalized County assessment roll.

(c) The failure of any person to receive actual notice required under this chapter shall not affect the validity of any proceedings taken under this chapter.

[History: formerly § 1.11.218, ORD. 494, 9/11/96; ORD. 638, 12/04/05]

Article 2. Compliance Procedures

2.01.110 Compliance Order.

(a) Whenever the Code Enforcement Officer determines that a violation of any provision of this Code is occurring or exists, the Officer may issue a written Compliance Order to any person responsible for the violation.

(b) A Compliance Order issued pursuant to this chapter shall contain the following information:

- (1) The date and location of the violation;
- (2) The section of this Code violated and a description of the violation;
- (3) The actions required to correct the violation;
- (4) The time period after which administrative penalties will begin to accrue if compliance with the order has not been achieved.
- (5) Either a copy of this subchapter or an explanation of the consequences of noncompliance with this chapter and a description of the hearing procedure and appeal process.

[History: formerly § 1.11.220, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.120 Alternative Actions.

(a) If the Code Enforcement Officer determines that all violations have been corrected within the time specified in the Compliance Order, no further action shall be taken.

(b) In the event a person shall fail, neglect or refuse to comply with the Compliance Order, the Code Enforcement Officer may:

- (1) refer the violation to the city attorney for legal action, including the institution of a civil lawsuit;
- (2) issue a Citation, citing the violator with an infraction or misdemeanor;

(3) refer the matter to an administrative hearing for the purpose of imposing an administrative remedy in accordance with this ordinance.

(c) Use of the procedures set forth in this ordinance shall be at the sole discretion of the city.

[History: formerly 1.11.222, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.130 Administrative Hearing.

Upon receipt of a request for an administrative hearing, the City Manager shall appoint an Administrative Hearing Officer. The appointment of the Hearing Officer and the conduct of the hearing shall be in accordance with the procedures set forth in Colma Municipal Code, Chapter One, Subchapter Twelve, sections 1.12.010 et seq.

[History: formerly 1.11.224, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.140 Failure To Exhaust Administrative Remedies.

The hearing on a Compliance Order serves to provide a full opportunity to each person subject to a compliance order to object to the determination that a violation has occurred, that the violation continues to exist, and the remedy. The failure of any person who is subject to a Compliance Order, to appear at the hearing shall constitute a failure to exhaust administrative remedies.

[History: formerly 1.11.226, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.150 Findings and Order.

(a) At the place and time set forth in the notice of hearing, the Hearing Officer shall conduct a hearing on the Compliance Order.

(b) Within a reasonable time following the conclusion of the hearing, the Hearing Officer shall make findings and issue its determination regarding:

(1) The existence of the violation;

(2) The failure of the violator or owner to take required corrective action within the required time period.

(c) The Hearing Officer shall issue written findings on each violation. The findings shall be supported by evidence received at the hearing.

(d) If the Hearing Officer finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the compliance order, the Hearing Officer shall issue an administrative order which may include one or more administrative remedies set forth herein.

(e) If the Hearing Officer finds that no violation has occurred or that the violation was corrected within the time period specified in the compliance order, the Hearing Officer shall issue a finding of those facts.

[History: formerly § 1.11.228, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.160 Administrative Order.

If the Hearing Officer determines that a violation occurred which was not corrected within the time period specified in the compliance order, the Hearing Officer shall issue an administrative order which imposes any or all of the following:

- (a) An order to correct, including a schedule for correction and re-inspection for compliance, where appropriate;
- (b) Administrative penalties as provided in Section 2.01.170;
- (c) Administrative costs as provided in Section 2.01.180.

[History: formerly § 1.11.230, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.170 Administrative Penalties.

(a) The Hearing Officer may impose administrative penalties for the violation of any provision of this Code in an amount not to one thousand dollars per day for each ongoing violation, except that the total administrative penalty for any related series of violations shall not exceed one hundred thousand dollars, exclusive of administrative costs, interest, costs of restitution, and costs of compliance reinspections.

(b) In determining the amount of the administrative penalty, the Hearing Officer may take any or all of the following factors into consideration:

- (1) The duration of the violation;
- (2) The frequency, recurrence and number of violations, related or unrelated, by the same violator;
- (3) The seriousness of the violation;
- (4) The good faith efforts of the violator to come into compliance;
- (5) The economic impact of the penalty on the violator;
- (6) The impact of the violation on the community;
- (7) Such other factors as justice may require.

(c) Administrative penalties imposed by the Hearing Officer shall accrue from the date specified in the compliance order and shall cease to accrue on the date the violation is corrected as determined by the Code Enforcement Officer or the Hearing Officer.

(d) The Hearing Officer, in its discretion, may suspend the imposition of applicable penalties for any period of time during which:

- (1) The violator has filed for necessary permits; and
- (2) Such permits are required to achieve compliance; and
- (3) Such permit applications are actively pending before the city, state or other appropriate governmental agency.

(e) Administrative penalties assessed by the Hearing Officer shall be due by the date specified in the administrative order.

(f) Administrative penalties assessed by the Hearing Officer are a debt owed to the city and, in addition to all other means of enforcement, if the violation is located on real property, may be enforced by means of a lien against the real property on which the violation occurred.

(g) If the violation is not corrected as specified in the Hearing Officer's order to correct, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth in Section 2.01.170 above.

(h) If the violator gives written notice to the Code Enforcement Officer that the violation has been corrected and if the Code Enforcement Officer finds that compliance has been achieved, the Code Enforcement Officer shall deem the date the written notice was postmarked or personally delivered to the Code Enforcement Officer or the date of the final inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided to the Code Enforcement Officer, the violation will be deemed corrected on the date of the final inspection.

[History: formerly § 1.11.232, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.180 Administrative Costs.

(a) The Hearing Officer shall assess administrative costs against the violator when it finds that a violation has occurred and that compliance has not been achieved within the time specified in the compliance order.

(b) The administrative costs may include any and all costs incurred by the city in connection with the matter before the Hearing Officer including, but not limited to, costs of investigation, staffing costs incurred in preparation for the hearing and for the hearing itself, and costs for all reinspections necessary to enforce the compliance order.

[History: formerly § 1.11.234, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.190 Failure to Comply With Administrative Compliance Order.

Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the Hearing Officer may be enforced as:

- (a) A personal obligation of the violator; and
- (b) If the violation is in connection with real property, a lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

[History: formerly § 1.11.236, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.200 Right of Judicial Review.

Any person aggrieved by an administrative order of the Hearing Officer may obtain review of the administrative order in the Superior Court by filing with the court a petition for writ of mandate pursuant to the California Code of Civil Procedure.

[History: formerly § 1.11.238, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.210 Recovery of Administrative Civil Penalties.

The city may collect the assessed administrative penalties and administrative costs by use of all available legal means, including recordation of a lien pursuant to the provisions herein.

[History: formerly § 1.11.240, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.220 Report of Compliance after Administrative Order.

If the Code Enforcement Officer determines that compliance has been achieved after a compliance order has been sustained by the Hearing Officer, the Code Enforcement Officer shall file a report with the City Manager indicating that compliance has been achieved.

[History: formerly § 1.11.242, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.230 Compliance Dispute.

- (a) If the Code Enforcement Officer does not file a Report of Compliance, a violator who believes that compliance has been achieved may request a compliance hearing before the Hearing Officer by filing a request for a hearing with the secretary of the Hearing Officer.
- (b) The hearing shall be noticed and conducted in the same manner as a hearing on a compliance order.

(c) The Hearing Officer shall determine if compliance has been achieved and, if so, when it was achieved.

[History: formerly § 1.11.244, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

Article 3 - Liens

2.01.240 Obligation as Lien.

(a) Whenever the amount of any administrative penalty or administrative cost imposed by the Hearing Officer pursuant to this chapter in connection with real property has not been satisfied in full within ninety days and has not been successfully challenged by a timely writ of mandate, this obligation may constitute a lien against the real property on which the violation occurred.

(b) The lien provided herein shall have no force and effect until recorded with the County Recorder. Once recorded, the administrative order shall have the force and effect and priority of a judgment lien governed by the provisions of Sections 697.340 of the Code of Civil Procedure and may be extended as provided in Section 683.110 to 686.220, inclusive, of the Code of Civil Procedure.

(c) Interest shall accrue on the principal amount of the judgment remaining unsatisfied pursuant to law.

[History: formerly § 1.11.246, ORD. 494, 9/11/96; OKrd. 638, 12/14/05]

2.01.250 Lien Procedure.

(a) Prior to recording any lien, the Code Enforcement Officer shall prepare and file with the City Manager a report stating the amounts due and owing.

(b) The City Manager shall fix a time and place for hearing the report and any protests or objections thereto.

(c) The City Manager shall give written notice to the property owner not less than ten days prior to the time set for the hearing. Such notice shall be served as provided in this ordinance.

(d) Any person whose real property is subject to a lien pursuant to this ordinance may file a written protest with the City Manager or may protest orally at the hearing.

(e) Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds of such protest or objection.

(f) The City Manager, after the hearing, shall make a determination confirming, discharging or modifying the amount of the lien.

[History: formerly § 1.11.248, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.260 Recording of Lien.

Thirty days following the determination, the City Manager shall file the lien as a judgment lien in the Office of the County Recorder of San Mateo County, California.

[History: formerly § 1.11.250, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.270 Satisfaction of Lien.

Once payment in full is received by the City for outstanding penalties and costs, the City Manager shall either record a notice of satisfaction or provide the property owner or financial institution with a notice of satisfaction so they may record this notice with the Office of the County Recorder. Such notice of satisfaction shall cancel the city's lien.

[History: formerly § 1.11.252, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

Article 4. - Criminal Enforcement

2.01.280 Criminal Actions Available.

(a) Nothing in this chapter shall be deemed to prevent the Code Enforcement Officer from instituting criminal action. The city council authorizes the Code Enforcement Officer to issue criminal citations (notice to appear) for any violation of:

- (1) This chapter of the Colma Municipal Code;
- (2) The Town of Colma Zoning Ordinance;
- (3) The adopted and amended Uniform Building Code, Uniform Fire Code, Uniform Housing Code, Uniform Abatement of Dangerous Buildings Code, or any appendices or standards of such uniform codes;
- (4) The Town of Colma Storm Water Management and Discharge Control Ordinance.

(b) The Town of Colma city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this chapter.

[History: formerly § 1.11.310, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.290 Misdemeanor.

Violation of any provision of section 2.01.040 of this ordinance shall constitute a misdemeanor.

[History: formerly § 1.11.320, ORD. 494, 9/11/96; ORD. 638, 12/14/05]

2.01.300 Repealed.

[*History:* formerly § 1.11.330, ORD. 494, 9/11/96; ORD. 638, 12/14/05, ORD. 643, 4/12/06]

